United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA
CRIMINAL DIVISION
VENUE: SAN FRANCISCO

UNITED STATES OF AMERICA,
V.

MMC

FILED
MAR 12 2009
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL HARRIS

DEFENDANT.

INDICTMENT

Title 21 U.S.C. §§ 841 (a)(1) and 841 (b)(1)(B)(iii) - Possession with Intent to Distribute Controlled Substance

---

A true bill.

Lynda Benjamin
Foreman

Filed in open court this 12th day of March 2009

Betty Lee
Clerk

BETTY P. LEE

EDWARD M. CHEN
UNITED STATES MAGISTRATE JUDGE

Bail, $ No Bail Warrant

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☑ INDICTMENT
☐ SUPERSEDING

OFFENSE CHARGED

21 U.S.C. 841(a), 841(b)(1)(B)(iii)

☐ Petty
☐ Minor
☐ Misde-meanor
☑ Felony

PENALTY:

Imprisonment for not less than 5 and not more than 40 years;
Fine of up to $2,000,000;
Special assessment of $100.00; and
Supervised release of not less than 4 years.

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

FILED
MAR 12 2009
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

► MICHAEL HARRIS

DISTRICT COURT NUMBER

0265 MMC

PROCEEDING

Name of Complaintant Agency, or Person (&Title, if any)

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:
☐ U.S. Att'y ☐ Defense

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under ►

Name and Office of Person Furnishing Information on THIS FORM: Joseph P. Russoniello
☑ U.S. Att'y ☐ Other U.S. Agency

Name of Asst. U.S. Att'y (if assigned): Matthew L. McCarthy

DEFENDANT

IS *NOT* IN CUSTODY

1) ☐ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons ► was served on above charges

2) ☐ Is a Fugitive

3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

4) ☐ On this charge

5) ☐ On another conviction

6) ☑ Awaiting trial on other charges

} ☐ Fed'l ☑ State

If answer to (6) is "Yes", show name of institution

San Francisco Sheriff's Department

Has detainer been filed? ☐ Yes ☑ No } If "Yes" give date filed

DATE OF ARREST ► Month/Day/Year 3/1/2009

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY ► Month/Day/Year

☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

☐ SUMMONS ☐ NO PROCESS* ☑ WARRANT Bail Amount: NO BAIL

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

**Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment*

Defendant Address:

Date/Time:

Before Judge:

Comments:

ORIGINAL

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

FILED

MAR 1 2 2009

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, Plaintiff, v. MICHAEL HARRIS, Defendant.	CR 09 0265 No. VIOLATION: 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B)(iii)– Possession with Intent to Distribute Controlled Substance SAN FRANCISCO VENUE MMC

INDICTMENT

The Grand Jury charges that:

COUNT ONE: 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B)(iii) – Possession with Intent to Distribute Controlled Substance

On or about March 1, 2009, in the Northern District of California, the defendant,

MICHAEL HARRIS,

knowingly and intentionally possessed with intent to distribute at least five (5) grams of a mixture and substance containing a detectable amount of cocaine, its salts, optical and geometric

//

//

isomers, and salts of isomers, and containing cocaine base, in the form of "crack" cocaine, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(iii).

DATED: March 12, 2009

A TRUE BILL.

FOREPERSON

JOSEPH P. RUSSONIELLO
United States Attorney

GREGG W. LOWDER
Deputy Chief, Major Crimes Section

(Approved as to form:
MATTHEW L. McCARTHY
Assistant United States Attorney